



12-18-06

RCE
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PTO/SB/30 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|---|------------------------|------------------------|
| Request for Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Application Number | 09/838,927-Conf. #2178 |
| | Filing Date | April 19, 2001 |
| | First Named Inventor | Seth Harman |
| | Art Unit | 3622 |
| | Examiner Name | J. W. Van Bramer |
| | Attorney Docket Number | 65164/P001CP1/10606083 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

| | |
|---|--|
| 1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s). | |
| a. <input type="checkbox"/> Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. i. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____ ii. <input type="checkbox"/> Other _____ | |
| b. <input checked="" type="checkbox"/> Enclosed i. <input checked="" type="checkbox"/> Amendment/Reply iii. <input type="checkbox"/> Information Disclosure Statement (IDS) ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) iv. <input type="checkbox"/> Other _____ | |
| 2. Miscellaneous a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) b. <input type="checkbox"/> Other _____ | |
| 3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. | |
| a. <input type="checkbox"/> The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 06-2380. I have enclosed a duplicate copy of this sheet. i. <input checked="" type="checkbox"/> RCE fee required under 37 CFR 1.17(e) ii. <input type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17) iii. <input type="checkbox"/> Other _____ | |
| b. <input checked="" type="checkbox"/> Check in the amount of \$ 845.00 enclosed c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed) | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|------------------|------------------|-------------------|
| Signature | | Date | December 15, 2006 |
| Name (Print/Type) | Thomas J. Meaney | Registration No. | 41,990 |

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01 FC:2801 395.00 OP
 02 FC:2202 250.00 OP
 03 FC:2201 200.00 OP



DEC 15 2006

PTO/SB/17i (09-06)

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**PROCESSING FEE
Under 37 CFR 1.17(i)
TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to:

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Enclosed is a paper filed under 37 CFR _____ that requires a processing fee (37 CFR 1.17(i)).

Payment of \$ _____ is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

Payment of Fees (small entity amounts are NOT available for the processing fees)

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 06-2380 :
 processing fee under 37 CFR 1.17(i) any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

Check in the amount of \$ 845.00 is enclosed.

Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Processing Fees under 37 CFR 1.17(i): Fee \$130

**Fee Code 1808 for all,
Except for §1.221 papers (Fee Code 1803)**

For papers filed under:

- § 1.28(c)(3) – for processing a non-itemized fee deficiency based on an error in small entity status.
- § 1.41 – for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by §1.63, except in provisional applications.
- § 1.48 – for correcting inventorship, except in provisional applications.
- § 1.52(d) – for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) – to convert a provisional application filed under § 1.53(c) into a nonprovisional application under §1.53(b).
- § 1.55 – for entry of late priority papers.
- § 1.71(g)(2) – to enter an amendment to the specification for purposes of 35 U.S.C. 103(c)(2) if not filed within the cited time periods
- § 1.99(e) – for processing a belated submission under § 1.99.
- § 1.103(b) – for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) – for requesting deferred examination of an application.
- § 1.217 – for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 – for requesting voluntary publication or republication of an application. **Fee Code 1803**
- § 1.291(c)(5) – for processing a second or subsequent protest by the same real party in interest.
- § 1.497(d) – for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 – for a patent to issue to assignee, assignment submitted after payment of the issue fee.

Signature

December 15, 2006

Thomas J. Meaney

Date

Typed or printed name

41,990

Registration No., if applicable